APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/732,403	12/07/2000	Greg A. Dunko	4015-809	9888

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EXAMINER
LY, NGHI H

ART UNIT	PAPER NUMBER
2686	

DATE MAILED: 09/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____ .

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-19* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-19* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)		4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .	
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)		5) ☐ Notice of Informal Patent Application (PTO-152)	
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *2,3* .		6) ☐ Other: .	

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1-13 and 15-19 are rejected under 35 U.S.C. 102(e) as being anticipated

by Sennett (US 6,400,940).

Regarding claims 1, 10 16 and 19, Sennett teaches a method of receiving help at

a mobile terminal comprising the steps of: detecting a help trigger event at the mobile

terminal (see column 2 line 67 to column 3 line 3 and see column 3 lines 12-23),

formulating a help request (see column 2 lines 30-33), the help request comprising

context sensitive data associated with a current status of the mobile terminal (see

column 2 lines 30-33), sending the help request from the mobile terminal to a remote

help server via an RF link (see column 2 lines 34-40 and see fig.1 for RF link between

MS 13 and BS 12), and receiving help information from the remote help server at the

mobile terminal (see column 2 lines 44-18), the help information being based on the

context sensitive data (see column 2 lines 23-48).

Regarding claim 2, Sennett further teaches the step of detecting the help trigger

event at the mobile terminal is selected from the group consisting essentially of

receiving the help trigger event via a function key (see column 4 lines 6-15), and receiving the help trigger event via a voice command (also see column 4 lines 6-15).

Regarding claim 3, Sennett further teaches the step of formulating a help request to the detecting the trigger event comprises determining an application that is active within the mobile terminal (see column 2 lines 30-33).

Regarding claim 4, Sennett further teaches determining the application most recently accessed by a user (see column 3 lines 57-67).

Regarding claim 5, Sennett further teaches determining an application state of the application (see column 2 lines 30-33).

Regarding claim 6, Sennett further teaches determining improper activities (see column 4 lines 18-23 and see column 4 lines 42-46).

Regarding claims 7 and 15, Sennett further teaches the context sensitive data is selected from the group consisting essentially of language, model number, and software version (see column 3 lines 34-38 and see column 3 lines 55-57).

Regarding claim 8, Sennett further teaches the context specific information of the help request is obtained prior to the time the help request is received (see fig.2, the step 21 is obtained first).

Regarding claim 9, Sennett further teaches the step of formulating the help request occurs after the help request is received (see fig.2, the step 25 occurs after the help request is received).

Regarding claim 11, Sennett further teaches the step of gathering context

specific data regarding the application is performed prior to the time the request is

received (see fig.2, the step 23 is performed prior to the time the request is received).

Regarding claim 12, Sennett further teaches the step of gathering context

specific data regarding the application is performed after the request is received (see

column 3 lines 53-57).

Regarding claim 13 Sennett further teaches the context specific data regarding

the application is obtained from an activity log maintained at the mobile terminal (see

column 4 lines 30-32, "how to read, store and retrieve text message").

Regarding claim 17, Sennett further teaches the specific aspect of the mobile

terminal is an application stored within memory (see column 4 lines 30-32, "how to read,

store and retrieve text message").

Regarding claim 18, Sennett further teaches the context specific data is stored

within memory (see column 3 lines 43-53).

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

4.   Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sennett

(US 6,400,940) in view of Linden et al (US 6,549,773).

Regarding claim 14, Sennett teaches a method of receiving help at a mobile

terminal and the step of sending the context specific data to the help server comprises

accessing the help server (see column 2 lines 23-48).

Sennett does not specifically disclose accessing the server through a gateway.

Linden teaches accessing the server through a gateway (see fig.1 gateway 2 and

see column 2 lines 1-6).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time of the invention was made to provide the above teaching of Linden into the system

of Sennett in order to encode and decode the content (see Linden, column 2 lines 1-6).

Conclusion

5.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

a. Barrett (US 5,483,669) teaches dynamic thresholding for mobile assisted

handoff in a digital cellular communication system.

b. Hill (US 6,470,189) teaches method and apparatus in a wireless transceiver

for seeking and transferring information available from a

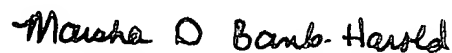c. White (US 4,254,404) teaches paging and servicing system.

6.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Nghi H. Ly whose telephone number is (703) 605-5164.

The examiner can normally be reached on 8:30 am-5:30 pm Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Marsha Banks-Harold can be reached on (703) 305-4379. The fax phone

number for the organization where this application or proceeding is assigned is (703)

872-9306.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is (703) 305-

3900.

Nghi H. Ly

08/25/03

Marsha O Banks-Harold
MARSHA D. BANKS-HAROLD
SUPERVISORY PATENT EXAMINER
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